



**UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/149,216	09/08/98	MINAKUCHI	21.1757-C-DI

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WM01/0212

EXAMINER
MENGISTU, A

ART UNIT	PAPER NUMBER
2673	

DATE MAILED: 02/12/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/149,216

Applicant(s)  
Yu MINAKUCHI et al

Examiner  
AMARE MENGISTU

Group Art Unit  
2673



☒ Responsive to communication(s) filed on Nov 20, 2000

☐ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 11-105 is/are pending in the application.

Of the above, claim(s) 34-36, 43-54, 57-82, 91-100, and 103-105 is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 11, 13-15, 19-22, 25-33, 37-41, 55, 56, 83-90, and 102 is/are rejected.

☒ Claim(s) 12, 16-18, 23, 24, and 42 is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 4-7

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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### DETAILED ACTION

1. The Applicant reference the cancellation of claims 2-10 in the amendment filed on Sep.10,1998. The office did not receive this amendment.

#### *Election/Restriction*

2. Claims 34-36,43-54,57-82,91-100,103-110 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a non-elected , there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in Paper No.10 .

#### *Claim Rejections - 35 U.S.C. § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11,15,25-30,32-33,37,40,55,56,101,102 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Hagiuda** (5,953,008) in view of **Allard et al** (5,615,384).

As to claims 11,15, 25-30,32-33,37,40,55,56,101,102 ; **Hagiuda** discloses a simulating manipulation of an object utilizing a display image comprising: sensing touching contact relative to the displayed image of the object, the touching contact simulating a manipulation of the object, and outputting touch information corresponding to the sensed touching contact ( col.4, lines 50-54);

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detecting, from the output touch information, characteristics of said touching contact including the selecting location on the object image of the touching contact and changed of the touching contact and recognizing therefrom the corresponding object manipulation simulation (col.4, lines 56- col.5, lines 12). **Hagiuda** has failed to disclose changing the display of the object image. However, the patent of **Allard et al** clearly teaches that it is well known for a touch panel display system to Change the displayed image (see, fig.5 (158), col. 6,lines 53-59) and a memory to store the image being displayed (fig.3 (68)). Therefore, it would have been obvious to one skilled in the art at the time of the invention was made to have been motivated to combine the image changing system of Allard et al into the device of **Hagiuda**, because this will allow the image of **Hagiuda** to be larger for a better view.

5. Claims 19-22,38,41 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Hagiuda** (5,953,008) in view of **CHARWAT** (EP 0 179 147) .

As to claims 19-22, 38 and 41; **Hagiuda** discloses a touch screen which display an image but failed to teach that the display object is a rollable type. The patent of **CHARWAT** clearly teaches that it is well known for a touch screen display system to display the image in a rolling condition (see, pages 1, last paragraph to page 2).

Therefore, it would have been obvious to one skill in the art at the time of the invention was made to have incorporated the system rolling an image as taught by **CHARWAT** into the device of **Hagiuda's** since this an alternative way of scrolling an image.

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6. Claims 13,14,83-90 rejected under 35 U.S.C. 103(a) as being unpatentable over **Hagiuda** (5,953,008) in view of **Murasaki et al** (5,867,158).

In regard to claims 13,14,83-90, **Hagiuda** discloses a touch screen display device with a touch detection system but failed to disclose scrolling the image. However, Murasaki et al suggests scrolling of the display image in a different direction and between the reference position (see, Abstract, col.5, lines 43-54, col.7, lines 27-55).

Therefore, it would have been obvious to one of skill in the art at the time of the invention was made to have combined the touch display of **Hagiuda** with a scrolling methods of Murasaki et al, so that the image displayed by **Hagiuda** can be scrolled easily to view more of the displayed images.

***Allowable Subject Matter***

7. Claims 12,16-18 ~~are~~ 23,24,42 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. *Any inquiry concerning this communication should be directed to Amare Mengistu at telephone number (703) 305-4880.*

***Any response to this action should be mailed to:***

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*Commissioner of Patents and Trademarks*

*Washington, D.C. 20231*

**or faxed to:**

*(703) 308-9051, (for formal communications intended for entry)*

**Or:**

*(703) 308-6606 (for informal or draft communications, please label*

*"PROPOSED" or "DRAFT")*

*Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington.*

*VA., Sixth Floor (Receptionist).*

A. Mengistu

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Feb. 8, 2001

  
Amare Mengistu  
Primary Examiner